



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

employees; that the danger of the coal falling was known to him; and that a test as to its safety could have been made by tapping with a pick. An experienced miner testified that when the coal bulged, it was the duty of the undercutter to report the fact to the foreman and to stay out of danger until the vein was properly faced. Held to show an assumption of risk, precluding recovery.

RICHARDSON *v.* PIERCE et al.

June 28, 1906.

[54 S. E. 480.]

Fraudulent Conveyances—Remedies of Creditors—Burden of Proof—Subsequent Creditor.—Where, in an action by subsequent creditors to set aside a deed to a wife as in violation of Code 1904, § 2458, prohibiting any conveyances with an intent to hinder or defraud creditors, it appears that, though the deed may have been procured by the husband's money and credit, yet the husband was not indebted at the time of the transaction, it must be further shown by the plaintiff that the transaction was in anticipation of future indebtedness and to defraud future creditors.

[Ed. Note.—For cases in point, see vol. 24, Cent. Dig. Fraudulent Conveyances, § 806.]

McMURRAY et al. *v.* DIXON.

June 28, 1906.

[54 S. E. 481.]

1. Actions—Survival—Joinder of Parties.—Where an action of ejectment was brought in the name of a husband and wife and the husband died, the cause of action survived to the wife, as provided by Code 1904, § 3306.

[Ed. Note.—For cases in point, see vol. 1, Cent. Dig. Abatement and Revival, § 318; vol. 17, Cent. Dig. Ejectment, § 118.]

2. Limitation of Actions—Disability of Party—Ejectment—Statute Applicable.—Where plaintiff purchased certain land in controversy while under coverture in 1874, and took actual possession under her title papers and continued under coverture until after suit brought in ejectment, her right could only be barred by limitations under Code 1904, § 2981, providing that, where the person is under disability when a cause of action arises, no action shall be brought to recover land but within 20 years next after the time at which such right shall have accrued.

3. Same—Recovery of Land—Possession—Burden of Proof.—A party ousted from possession of land may recover the premises in ejectment on his possession merely, unless the defendant who entered and ousted plaintiff has title himself or authority to enter under the title.

[Ed. Note.—For cases in this point, see vol. 17, Cent. Dig. Ejectment, §§ 16-21, 30-41.]